

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION

No. 2:12-md-02323-AB
MDL No. 2323

Kevin Turner and Shawn Wooden, on behalf
of themselves and others similarly situated,

Plaintiffs,

v.

National Football League and NFL
Properties, LLC, successor-in-interest to NFL
Properties, Inc.,

Defendants.

THIS DOCUMENT RELATES TO:

Chie Smith v. Podhurst
Petition for Deviation
(Doc. No. 10037)

ORDER

DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE

July 31, 2018

It appears that:

1. Podhurst Orseck P.A. ("Podhurst") has filed an Attorney's Lien against the claim of Steven Anthony Smith that will be resolved through the Rules Governing Attorneys' Liens ("Rules") adopted by the District Court (Doc. No. 9760);
2. Chie Smith, Representative Claimant for Steven Smith, ("Smith") has filed a Petition for Deviation ("Petition") arguing that Podhurst was not entitled to receive any percentage sum of the Smith Award as an Individually Retained Plaintiff's Attorney ("IRPA") in light of attorneys' fees the firm has received from the Common Benefit Fund (Doc. No. 10037);

3. Both Podhurst and Smith have submitted Statements of Dispute as required by Rule 14; and
4. Smith's Statement of Dispute presents the same arguments that were contained in the Petition.

The issues in the Petition will be addressed and resolved in the Attorney's Lien Dispute Resolution Process. For these reasons and with the **CONSENT OF COUNSEL**, the Petition is **DENIED** as **MOOT**.

BY THE COURT:

/s/ David R. Strawbridge
DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE